



City of Costa Mesa

REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY

Agenda

Tuesday, June 21, 2022

6:00 PM

City Council Chambers
77 Fair Drive

***Note: All agency memberships are reflected in the title "Council Member"
5:00 P.M. Closed Session**

The City Council meetings are presented in a hybrid format, both in-person at City Hall and virtually via Zoom Webinar. Pursuant to the State of California Assembly Bill 361 (Gov. Code §54953(b)(3)) the City Council Members and staff may choose to participate in person or by video conference.

You may participate via the following options:

1. Attending in person: Attendees are encouraged to wear masks at their discretion.
2. Members of the public can view the City Council meetings live on COSTA MESA TV (SPECTRUM CHANNEL 3 AND AT&T U-VERSE CHANNEL 99) or http://costamesa.granicus.com/player/camera/2?publish_id=10&redirect=true and online at [youtube.com/costamesatv](https://www.youtube.com/costamesatv).

3. Zoom Webinar: (For both 5:00 p.m. and 6:00 p.m. meetings)

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/98376390419?pwd=dnpFelc5TnU4a3BKWVlyRVZMlZZz09>

Or sign into Zoom.com and “Join a Meeting”

Enter Webinar ID: 983 7639 0419/ Password: 905283

- If Zoom is not already installed on your computer, click “Download & Run Zoom” on the launch page and press “Run” when prompted by your browser. If Zoom has previously been installed on your computer, please allow a few moments for the application to launch automatically.
- Select “Join Audio via Computer.”
- The virtual conference room will open. If you receive a message reading, “Please wait for the host to start this meeting,” simply remain in the room until the meeting begins.
- During the Public Comment Period, use the “raise hand” feature located in the participants’ window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

Participate via telephone: (For both 5:00 p.m. and 6:00 p.m. meetings)

Call: 1 669 900 6833 Enter Webinar ID: 983 7639 0419/ Password: 905283

During the Public Comment Period, press *9 to add yourself to the queue and wait for city staff to announce your name/phone number and press *6 to unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

4. Additionally, members of the public who wish to make a written comment on a specific agenda item, may submit a written comment via email to the City Clerk at cityclerk@costamesaca.gov. Comments received by 12:00 p.m. on the date of the meeting will be provided to the City Council, made available to the public, and will be part of the meeting record.

5. Please know that it is important for the City to allow public participation at this meeting. If you are unable to participate in the meeting via the processes set forth above, please contact the City Clerk at (714) 754-5225 or cityclerk@costamesaca.gov and staff will attempt to accommodate you. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City’s website.

Note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information. All pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted, a direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats, .mp4, .mov or .wmv. Only one file may be included per speaker for public comments. Please e-mail to the City Clerk at cityclerk@costamesaca.gov NO LATER THAN 12:00 Noon on the date of the meeting.

Note regarding agenda-related documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5): Any related documents provided to a majority of the City Council after distribution of the City Council Agenda Packets will be made available for public inspection. Such documents will be posted on the city's website and will be available at the City Clerk's office, 77 Fair Drive, Costa Mesa, CA 92626.

All cell phones and other electronic devices are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.

Free Wi-Fi is available in the Council Chambers during the meetings. The network username available is: CM_Council. The password is: cmcouncil1953.

As a LEED Gold Certified City, Costa Mesa is fully committed to environmental sustainability. A minimum number of hard copies of the agenda will be available in the Council Chambers. For your convenience, a binder of the entire agenda packet will be at the table in the foyer of the Council Chambers for viewing.

The City of Costa Mesa aims to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is currently provided, the Clerks office will attempt to accommodate in a reasonable manner. Note, Closed Captioning is available via the Zoom application. Please contact the City Clerk's office 24 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible 714-754-5225 or at cityclerk@costamesaca.gov.

El objetivo de la Ciudad de Costa Mesa es cumplir con la ley de Estadounidenses con Discapacidades (ADA) en todos los aspectos. Si como asistente o participante en esta junta, usted necesita asistencia especial, más allá de lo que actualmente se proporciona, la oficina del Secretario de la Ciudad intentara de complacer en una forma razonable. Favor de comunicarse con la oficina del Secretario de la Ciudad con 24 horas de anticipación para informarnos de sus necesidades y determinar si alojamiento es realizable al 714-754-5225 o cityclerk@costamesaca.gov.

CLOSED SESSION - 5:00 P.M.

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given a total of three minutes to speak on all items on the Closed Session agenda.

CLOSED SESSION ITEMS:

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – ONE CASE
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Costa Mesa v. Newport Mesa Unified School District, Orange County Superior Court Case No. 30-2021-01179397-CU-WM-CXC.
2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to California Government Code Section 54957.6, (a)
Agency Designated Representative: Lori Ann Farrell Harrison, City Manager
Name of Employee Organization: Costa Mesa City Employees Association (CMCEA).

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY**

JUNE 21, 2022 – 6:00 P.M.

JOHN STEPHENS
Mayor

MANUEL CHAVEZ
Council Member - District 4

ANDREA MARR
Mayor Pro Tem - District 3

JEFFREY HARLAN
Council Member - District 6

LOREN GAMEROS
Council Member - District 2

ARLIS REYNOLDS
Council Member - District 5

DON HARPER
Council Member - District 1

KIMBERLY HALL BARLOW
City Attorney

LORI ANN FARRELL HARRISON
City Manager

CALL TO ORDER

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

Jimmy Vivar

MOMENT OF SOLEMN EXPRESSION

[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The City Council disclaims any intent to endorse or sponsor the views of any speaker.]

Pastor Christine Nolf, Redemption Church

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. Certificates of Recognition to Newport Harbor High School Girls' Lacrosse Team CIF Champions

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2. Certificates of Recognition to Newport Harbor High School Girls' Water Polo Team CIF Champions
 3. Certificates of Recognition to Newport Harbor High School Boys' Water Polo CIF SS Open Division Champions

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Comments are limited to 3 minutes, or as otherwise directed.

Comments on Consent Calendar items may also be heard at this time.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Each council member is limited to 4 minutes. Additional comments will be heard at the end of the meeting.

1. Council Member Reynolds
2. Council Member Chavez
3. Council Member Gameros
4. Council Member Harlan
5. Council Member Harper
6. Mayor Pro Tem Marr
7. Mayor Stephens

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR (Items 1-11)

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the City Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion.

1. [PROCEDURAL WAIVER: APPROVE THE READING BY TITLE ONLY 22-736 OF ALL ORDINANCES AND RESOLUTIONS](#)

RECOMMENDATION:

City Council, Agency Board, and Housing Authority approve the reading by title only and waive full reading of Ordinances and Resolutions.

2. [READING FOLDER](#) [22-740](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Robert Becker, Jeffrey Pham, Mari Shimizu.

3. [ADOPTION OF WARRANT RESOLUTION](#) [22-760](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2682

Attachments: [1. 6.3.22 Summary Check Register.pdf](#)
[2. 6.10.22 Summary Check Register.pdf](#)

4. [ADOPTION OF A RESOLUTION TO ALLOW MEMBERS OF THE CITY COUNCIL, COMMISSIONS AND COMMITTEES TO PARTICIPATE IN THE MEETINGS REMOTELY, AS NEEDED, DUE TO HEALTH AND SAFETY CONCERNS FOR THE MEMBERS AND THE PUBLIC](#) [22-741](#)

RECOMMENDATION:

Staff recommends the City Council adopt Resolution 2022-xx to allow the members of the City Council, Commission, and Committees to participate in the meetings remotely, as needed, via Zoom due to:

- The current State of Emergency and global pandemic, which continues to directly impact the ability of the members of the City's legislative bodies to meet safely in person; and
- Federal, State and/or local officials continue to impose or recommend measures to promote social distancing.

Attachments: [1. Draft Resolution No. 2022-XX](#)

5. [BIENNIAL REVIEW OF CITY'S CONFLICT OF INTEREST CODE](#) [22-734](#)

RECOMMENDATION:

Staff recommends the City Council approve Resolution No. 2022-xx revising the list of designated positions in the City's Conflict of Interest Code.

Attachments: [1. Designated Positions](#)
[2. Resolution 2022-xx](#)
[3. 2022 Local Agency Biennial Notice](#)

6. [MONTHLY UPDATE OF STRATEGIC PLAN GOALS AND 22-761 OBJECTIVES](#)

RECOMMENDATION:

Staff recommends the City Council approve the June 2022 update to the City of Costa Mesa's Strategic Plan Goals and Objectives.

Attachments: [Strategic Objectives - Update - June 2022](#)

7. [AGREEMENT FOR DIESEL FUEL PROCUREMENT AND DELIVERY 22-709 SERVICES WITH MERRIMAC PETROLEUM, INC.](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the proposed Agreement with Merrimac Petroleum, Inc., DBA Merrimac Energy Group, 1240 Wardlow Road, Long Beach, CA 90807, for the purchase and delivery of diesel fuel in an annual amount not to exceed \$360,000 based upon pricing through an Agreement with the City of Torrance, Bid No. B2019-07, for an initial term of two (2) years effective July 1, 2022.
2. Authorize the City Manager and the City Clerk to execute the agreement and future authorized amendments to the agreement.

Attachments: [1. Agreement for Diesel Fuel Services](#)
[2. City of Torrance Bid](#)

8. [AMENDMENT FOR UNLEADED FUEL PROCUREMENT AND 22-743 DELIVERY SERVICES WITH PINNACLE PETROLEUM, INC.](#)

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve Amendment No. 1 to the agreement with Pinnacle Petroleum, Inc., increasing Fiscal Year 2021-2022's annual amount by \$120,000 and increasing the annual not to exceed amount for subsequent years by \$400,000, resulting in annual allocation of \$800,000.
2. Authorize the City Manager and the City Clerk to execute the amendment and future authorized amendments to the agreement.

Attachments: [1. Amendment No. 1](#)
[2. County of Orange Contract](#)

9. [ACCEPTANCE OF THE FAIRVIEW ROAD HIGHWAY SAFETY 22-742 IMPROVEMENT PROJECT, FEDERAL PROJECT NO. HSIPL-5312\(102\), CITY PROJECT NO. 19-10](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Accept the work performed by Hardy & Harper, Inc., for the Fairview Road Highway Safety Improvement Project, Federal Project No. HSIPL-5312(102), City Project No. 19-10, and authorize the City Clerk to file the Notice of Completion.
2. Authorize the City Manager to release the retention monies thirty-five (35) days after the Notice of Completion filing date; release the Labor Material Bond seven (7) months after the filing date; and release the Faithful Performance Bond, if appropriate, at the conclusion of the one-year warranty period.

Attachments: [1. Cost Summary](#)

10. [RENEWED MEASURE M \(M2\) ELIGIBILITY](#) [22-744](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the City's Maintenance of Effort (MOE) for Fiscal Year (FY) 2022-23.
2. Approve the M2 Seven-Year Capital Improvement Program (CIP) comprised of the City's Five-Year and future year CIP for FY 2022-23 through FY 2028-29.
3. Adopt Resolution No. 2022-xx, for the Update of the Pavement Management Plan.
4. Authorize staff to submit documents to meet M2 Eligibility requirements.

Attachments: [1. MOE Certification](#)
[2. M2 Seven-Year Capital Improvement Program](#)
[3. Proposed 2022 PMP Resolution](#)

11. [ACCEPTANCE OF CALRECYCLE SB 1383 LOCAL ASSISTANCE GRANT](#) [22-757](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Accept \$159,969 CalRecycle's SB 1383 Local Assistance Grant Program that was recently awarded to the City.
2. Authorize the City Manager or designee with signature authority to execute all documents necessary to implement the grant and all grant-related reports to CalRecycle.
3. Authorize revenue and expense appropriations in the amounts of \$159,969, respectively, to account for the SB 1383 grant award in the City's FY2021-22 State Grant Fund (Fund 231).

Attachments: [1. SB 1383 Local Assistance Grant Program Awards](#)
[2. Exhibit A Terms & Conditions](#)
[3. Exhibit B Procedures & Requirements](#)

AT THIS TIME COUNCIL WILL ADDRESS ANY ITEMS PULLED FROM THE CONSENT CALENDAR

-----END OF CONSENT CALENDAR-----

PUBLIC HEARINGS:

(Pursuant to Resolution No. 05-55, Public Hearings begin at 7:00 p.m.)

1. [**BUSINESS IMPROVEMENT AREA \(BIA\) REAUTHORIZATION, 22-762
RESOLUTION TO LEVY ANNUAL ASSESSMENT**](#)

RECOMMENDATION:

Staff recommends that the City Council:

1. Conduct a public hearing regarding the Business Improvement Area (BIA) reauthorization and levy of the annual assessment for Fiscal Year 2022-2023.
2. Adopt Resolution No. 2022-XX, confirming the annual report filed by Travel Costa Mesa and levying an annual assessment for Fiscal Year 2022-23 for the Business Improvement Area (BIA) covering certain Costa Mesa hotels and motels (Attachment 1).
3. Approve the use of \$164,000 in Federal American Rescue Plan Funds as revenue recovery for City activities, programs and events, until annual hotel tax and BIA revenues are restored to normal levels.

Attachments: [1. Costa Mesa 2022-23 BIA Reso Levying Assessment](#)

2. [INTRODUCTION OF AN ORDINANCE TO APPROVE CODE 22-758 AMENDMENT CO-2022-XX, AMENDING PORTIONS OF TITLE 10 OF THE COSTA MESA MUNICIPAL CODE PERTAINING TO PARKING BY PERMIT ONLY AND TO AUTHORIZE RELATED FEES](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Introduce for first reading, by title only, Ordinance No. 2022-xx, to approve Code Amendment CO-2022-xx, amending portions of Title 10 of the Costa Mesa Municipal Code (CMMC) pertaining to parking by permit only and to authorize related fees.
2. Approve proposed Amendment No. 3 to the Professional Services Agreement with Dixon Resources Unlimited increasing the maximum compensation by \$60,950 for Residential Permit Parking Support Services, for a total not-to-exceed amount of \$192,950.
3. Authorize the City Manager and the City Clerk to execute the amendment and future authorized amendments to the agreement.

Attachments: [1. Ordinance RPP - Redline and Clean Versions](#)
[2. Amendment No. 3 to PSA](#)
[3. Revised RPP Guidelines and Policies](#)

OLD BUSINESS:

NONE.

NEW BUSINESS:

1. [APPROVAL OF AMENDMENTS TO CITYWIDE RENTAL ASSISTANCE 22-698 PROGRAMS FUNDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve proposed Amendment No. 2 (Attachment 1) to the Subrecipient Agreement (SRA) with Mercy House Living Centers increasing the compensation by \$62,312, for a total Not-To-Exceed amount of \$392,633 for program administration for the City's CDBG-CV Rental Assistance Program for lower-income households without children.
2. Appropriate an allocation of \$500,000 in American Rescue Plan Act (ARPA) funds to augment the HUD funded Rental Assistance Program for Costa Mesa renters, and required ancillary services, if eligible, from this or any other Federal or City available and eligible Fund, as needed.
3. Authorize the City Manager and the City Clerk to execute any new agreements and any and all amendments to existing agreements for the augmented ARPA funding for the Rental Assistance Program to assist Costa Mesa renters to overcome housing instability.

Attachments: [1. Rental Assistance Amend. No 2.](#)
[2. MercyHouse \\$180k](#)
[3. MercyHouse Amendment No. 1](#)

2. [FIRST READING OF AN ORDINANCE REVISING CHAPTER III OF 22-755 TITLE 12 REGARDING THE PARKS, ARTS AND COMMUNITY SERVICES COMMISSION TO REMOVE ARTS FUNCTIONS, FIRST READING OF AN ORDINANCE ADDING CHAPTER IV OF TITLE 12 ESTABLISHING AN ARTS COMMISSION, AND RESULTING DISSOLUTION OF THE CULTURAL ARTS COMMITTEE](#)

RECOMMENDATION:

Staff recommends City Council:

1. Read by title only, waive further reading and introduce Ordinance 2022-xx to rename the Parks, Arts and Community Services Commission to Parks and Community Services Commission and remove arts related language (Attachment 1).
2. Read by title only, waive further reading and introduce Ordinance 2022-xx to establish an Arts Commission that would serve as an advisory commission to the City Council in matters related to the City's Arts and Culture Master Plan (Attachment 2), and dissolve the Cultural Arts Committee accordingly.
3. Authorize a \$100.00 per month stipend for the Arts Commissioners.

Attachments: [1. ORDINANCE No. 22-23 Draft PACS Commission](#)
[2. ORDINANCE No. 22-24 Draft ARTS Commission](#)
[3. Arts Committee creation \(Minutes\)](#)
[4. Arts & Culture Master Plan Excerpt. Page 45](#)
[5. Example Arts Commission Application Questions](#)

3. [PROFESSIONAL SERVICES AGREEMENT WITH TCCG TECH 22-759
COAST CONSULTING GROUP LLC TO PREPARE AN ECONOMIC
DEVELOPMENT STRATEGIC PLAN FOR THE CITY OF COSTA MESA](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve and authorize the City Manager and City Clerk to execute an agreement with TCCG Tech Coast Consulting Group LLC (TCCG), for a not-to-exceed amount of \$200,000 for the term of one year with an additional four one-year renewal options, in substantially the form as attached, and in such final form as approved by the City Attorney.
2. Authorize the City Manager and City Clerk to approve future amendments to the agreement with TCCG including potential increases in compensation so long as such amendments are within the annual budget.

Attachments: [1. TCCG Tech Coast Consulting Group LLC PSA](#)

**ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND
SUGGESTIONS**

ADJOURNMENT